



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,353	01/12/2006	Yukio Umemura	062709-0160	9085
22428 7590 06/25/2008 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				
EXAMINER				
ALTUN, NURI B				
ART UNIT		PAPER NUMBER		
4165				
MAIL DATE		DELIVERY MODE		
06/25/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/564,353

Applicant(s)

UMEMURA, YUKIO

Examiner

Nuri Boran ALTUN

Art Unit

4165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/12/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-18 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Art Unit: 4165

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species **A**: Figure 5 is directed to a first embodiment of a power transmission device.

If Species **A** is elected, further election is required among the following patentably distinct sub-species.

- a. Sub-Species **I**: Figures 8, 9 and 18B; this embodiment is describing a coupling member with a pair of sidepiece and bent portions.
- b. Sub-Species **II**: Figures 12 and 18B; this embodiment is describing a coupling member with sandwich portions formed by inside surfaces.
- c. Sub-Species **III**: Figures 13 and 18B; this embodiment is describing a coupling member with sidepiece portion, bent portion and first projection smoothly joined.
- d. Sub-Species **IV**: Figures 14 and 18B; this embodiment is describing a coupling member with a through-hole being disposed

Art Unit: 4165

separately from a spacing by joining together protrusions of joining portions.

e. Sub-Species **V**: Figures 15, 16, 17A, 17B and 18A; this embodiment is describing a coupling member with sidepiece, bent, holding and joining portions, a through-hole and a spacing.

f. Sub-Species **VI**: Figures 19, 17A, 17B and 18A; this embodiment is describing a coupling member with holding portions being formed by inside surfaces, first, second and third projections and the holding surfaces.

g. Sub-Species **VII**: Figures 20, 17A, 17B and 18A; this embodiment is describing a coupling member with sidepiece and bent portions and first projection being smoothly joined to the inside surface of the sidepieces portion.

h. Sub-Species **VIII**: Figure 21, 17A, 17B and 18A; this embodiment is describing a coupling member with a through-hole being disposed separately from a spacing by joining protrusions together of joining portions.

Species **B**: Figure 22 is directed to a second embodiment of a power transmission device.

If Species **B** is elected, further election is required among the following patentably distinct sub-species.

Art Unit: 4165

- i. Sub-Species I: Figures 8, 9 and 18B; this embodiment is describing a coupling member with a pair of sidepiece and bent portions.
- j. Sub-Species II: Figures 12 and 18B; this embodiment is describing a coupling member with sandwich portions formed by inside surfaces.
- k. Sub-Species III: Figures 13 and 18B; this embodiment is describing a coupling member with sidepiece portion, bent portion and first projection smoothly joined.
- l. Sub-Species IV: Figures 14 and 18B; this embodiment is describing a coupling member with a through-hole being disposed separately from a spacing by joining together protrusions of joining portions.
- m. Sub-Species V: Figures 15, 16, 17A, 17B and 18A; this embodiment is describing a coupling member with sidepiece, bent, holding and joining portions, a through-hole and a spacing.
- n. Sub-Species VI: Figures 19, 17A, 17B and 18A; this embodiment is describing a coupling member with holding portions being formed by inside surfaces, first, second and third projections and the holding surfaces.
- o. Sub-Species VII: Figures 20, 17A, 17B and 18A; this embodiment is describing a coupling member with sidepiece and

Art Unit: 4165

bent portions and first projection being smoothly joined to the inside surface of the sidepieces portion.

p. Sub-Species **VIII**: Figure 21, 17A, 17B and 18A; this embodiment is describing a coupling member with a through-hole being disposed separately from a spacing by joining protrusions together of joining portions.

Applicant is required, in reply to this action, to elect a single species **and subspecies** to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

2. The claims are deemed to correspond to the species listed above in the following manner:

Species A

Sub-Species I:	Claims	2-5, 8 and 13-16
Sub-Species II:	Claim	4
Sub-Species III:	Claim	11
Sub-Species IV:	Claims	6-8 and 16
Sub-Species V:	Claims	2-5, 8 and 12-14
Sub-Species VI:	Claim	4
Sub-Species VII:	Claim	11
Sub-Species VIII:	Claims	6-8 and 16

Art Unit: 4165

Species B

Sub-Species I:	Claims	2-5, 8 and 13-16
Sub-Species II:	Claim	4
Sub-Species III:	Claim	11
Sub-Species IV:	Claims	6-8 and 16
Sub-Species V:	Claims	2-5, 8 and 12-14
Sub-Species VI:	Claim	4
Sub-Species VII:	Claim	11
Sub-Species VIII:	Claims	6-8 and 16

The following claim(s) are generic: Claims **1, 17** and **18** appear generic.

Claims **9** and **10** do not appear to correspond to any of the species.

3. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: Coupling element is the linking feature, and coupling element is known in the art itself (See JP2003139161, Figures 4 and 5). Therefore it does not constitute a "special technical feature" of the invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nuri Boran ALTUN whose telephone number is (571) 270-5807. The examiner can normally be reached on Mon-Fri 7:30 - 5:00 with first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda Jasmin can be reached on 571 272 6782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4165

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRADLEY KING/
Primary Examiner, Art Unit 3683

NBA